

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LASHAWN LAWRENCE,

Plaintiff,

-against-

SUFFOLK COUNTY, SHERIFF VINCENT
DEMARCO, CORRECTIONS OFFICER
THOMAS SHARKEY and CORRECTIONS
OFFICER MICHAEL McCORMACK,

Defendants.
-----X

FEUERSTEIN, District Judge:

ORDER

13-CV-1743 (SJF)(AKT)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ OCT 23 2013 ★

LONG ISLAND OFFICE

I. Introduction

On April 2, 2013, incarcerated *pro se* plaintiff Lashawn Lawrence ("plaintiff") filed a civil rights complaint in this Court pursuant to 42 U.S.C. § 1983 ("Section 1983") against defendants Suffolk County ("the County"), Sheriff Vincent Demarco ("Sheriff Demarco") and Corrections Officers Thomas Sharkey and Michael McCormack (collectively, "the individual defendants"), accompanied by an application to proceed *in forma pauperis*. By order dated May 28, 2013, *inter alia*, plaintiff's application to proceed *in forma pauperis* was granted; plaintiff's claims against the County and Sheriff Demarco were *sua sponte* dismissed in their entirety pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1) for failure to state a claim for relief; plaintiff was granted leave to file an amended complaint to re-plead his claims against the County and Sheriff Demarco on or before July 3, 2013; and plaintiff was advised that his failure to file an amended complaint in accordance with that order would result in his claims against the County and Sheriff Demarco being deemed dismissed in their entirety with prejudice and judgment being entered in favor of those defendants.

On or about June 24, 2013, plaintiff filed an application seeking an extension of time to file an amended complaint in accordance with the May 28, 2013 order. By order dated July 11, 2013, plaintiff's application was granted, the time for plaintiff to file an amended complaint in accordance with the May 28, 2013 order was extended until August 5, 2013 and plaintiff was advised that his failure to file an amended complaint in accordance with the May 28, 2013 order on or before August 5, 2013 would result in his claims against the County and Sheriff Demarco being deemed dismissed with prejudice.

Since plaintiff has not filed an amended complaint in accordance with the May 28, 2013 and July 11, 2013 orders, nor sought an additional extension of time to do so, his claims against the County and Sheriff Demarco are *sua sponte* dismissed in their entirety with prejudice.

The Court certifies pursuant to 28 U.S.C. § 1915 (a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein
United States District Judge

Dated: October 23, 2013
Central Islip, New York